

COMMISSION ON JUDICIAL PERFORMANCE
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FOR RELEASE
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HEARING SCHEDULED AND SPECIAL MASTERS APPOINTED IN MATTER CONCERNING JUDGE KELLY A. MacEACHERN

On August 13, 2007, the Commission on Judicial Performance announced it had instituted formal proceedings to inquire into matters concerning Judge Kelly A. MacEachern, a judge of the Orange County Superior Court. The hearing has been scheduled to begin on Monday, December 10, 2007 at 9:00 a.m. in the courtroom of the Fourth District Court of Appeal at 925 N. Spurgeon Street in Santa Ana, California. The hearing will be open to the public.

Under the rules that govern Commission proceedings, the hearing will be conducted by special masters appointed by the Supreme Court: Hon. Judith Ashmann-Gerst, Court of Appeal, Second Appellate District, Division Two; Hon. George J. Abdallah, Jr., Superior Court of San Joaquin County; and Hon. Larry W. Allen, Superior Court of San Bernardino County.

At the hearing, the parties will have an opportunity to introduce evidence and examine and cross-examine witnesses. Commission Trial Counsel Jack Coyle has been designated as examiner. Judge MacEachern is represented by attorney Edward P. George, Jr., of Long Beach, California.

Following completion of the hearing, the special masters will provide the Commission with a report containing their findings with respect to the charges. The parties will have an opportunity to respond to the report through briefing and argument before the Commission. If the Commission determines that the charges are proved by clear and convincing evidence, it is empowered to impose discipline as provided in the California Constitution. Charges that the Commission determines are not proved will be dismissed.

The Commission is composed of three judges, two lawyers, and six public members. The Chairperson is the Hon. Frederick P. Horn of Orange County Superior Court in Santa Ana, California. There is one vacancy on the Commission.

For further information about the Commission on Judicial Performance, see the Commission's Web page at www.cjp.ca.gov.